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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,589	09/14/2000	Blake Earl Hayward	P3953	9165

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/661,589	Applicant(s) HAYWARD, BLAKE EARL
	Examiner Benjamin R Bruckart	Art Unit 2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 November 2000* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: ___ .

Detailed Action

Claims 1-28 are pending in this Office Action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis

for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-11, 15-21, and 23-26 are rejected under 35 U.S.C. 102(b) as being

anticipated by U.S. Patent No. 5,740,361 by Brown.

Regarding claim 1, a networked-based system for providing online verification of users

applying for third-party services available through the network comprising: (Brown: Abstract;

col. 1, lines 6-12)

a first server node connected to the network for offering application to third-party

services through the network; (Brown: col. 4, lines 51-52; the "service")

a user node connected the network for accessing the first server node In and applying for

third-party services; (Brown: col. 4, lines 51-52; the "user")

a second server node connected to the network and accessible from the first server node,

the second server node for processing verification requests communicated from the first server

node; (Brown: col. 4, lines 52-58; the "authentication deity")

a third server node connected the network and accessible from the second server node,

the third server node for navigating on the network by proxy according to navigation requests

communicated from the second server node; and (Brown: col. 17, lines 1-20; the web server)

a data repository accessible at least to the second server node for storing data about users

being verified (Brown: col. 4, lines 52-58; the "authentication deity"), characterized in that a user

operating the user node accesses the first server node and applies for a service or services offered through the first server node and submits data for verification (Brown: col. 4, lines 51-58; the "authentication deity"), the first server node sending the data in the form of a verification request to the second server node, the second server node creating a navigation request containing a portion of the submitted data and sending the navigation request to third server (Brown: col. 17, lines 1-20; the web server), the third server performing the navigation according to the request and reporting navigation results back to the second server, the second server reporting the results back to the first server for verification purposes. (Brown: col. 17, lines 1-20; the web server)

Regarding claim 2, the network-based system of claim 1, wherein the network is a data--packet-network. (Brown: col. 1, lines 46-54)

Regarding claim 3, the network-based system of claim 2, wherein the data-packet-network is the Internet network. (Brown: col. 1, lines 13-18)

Regarding claim 4, the network-based system of claim 3, wherein the second and third server nodes are hosted by a same service provider. (Brown: col. 2, lines 14-31; col. 4, 59-65)

Regarding claim 6, the network-based system of claim 4, wherein the user node is a personal computer having access to the network (Brown: col. 6, lines 26-33)

Regarding claim 7, the network-based system of claim 4, wherein the user node is a wireless Internet-capable appliance. (Brown: col. 1, lines 54-62)

Regarding claim 8, the network-based system of claim 4, wherein the user node is a telephone. (Brown: col. 1, lines 54-62)

Regarding claim 9, the network-based system of claim 6, wherein application for third-party services is accomplished by populating a software-driven, electronic interface. (Brown: col. 8, lines 29-44)

Regarding claim 10, the network-based system of claim 9, wherein the interface is an electronic form on a web page. (Brown: col. 3, lines 59-65)

Regarding claim 11, the network-based system of claim 10, wherein a portion of data submitted for verification comprises at least one user name and password set to for accessing a user-held online reference account. (Brown: col. 4, lines 59-65; col. 2, lines 33-44)

Regarding claim 15, a method for online verification of a user applying for third-party services available on a data-packet-network comprising steps of (Brown: Abstract; col. 1, lines 6-12)

(a) the user interacting with the site offering the third-party services, the interaction comprising the population and submission of an electronic form for online verification purposes; (Brown: col. 4, lines 51-54; col. 3, lines 61-63)

(b) the online application form routed to a site offering the verification service, the service-site creating a temporary user profile and a navigation request from the data submitted in the form; (Brown: col. 4, lines 52-58; the "authentication deity")

(c) the navigation request routed to navigation system, the system performing the proxy navigation sequence according to the request; (Brown: col. 5, lines 51-55)

(d) the navigation system reporting the results of the automated navigation sequence back to the verification site ; and (Brown: col. 17, lines 1-20; the web server)

(e) the verification site sending a verification recommendation back to the site offering the third party services. (Brown: col. 5, lines 56-59)

Regarding claim 16, the method of claim 15, wherein the data-packet-network is the Internet network. (Brown: col. 1, lines 13-18)

Regarding claim 17, the method of claim 16 wherein in step (a), the site is a third-party server accessed from an Internet-capable appliance operated by the user. (Brown: col. 6, lines 26-33; col. 1, lines 54-62)

Regarding claim 18, the method of claim 17 wherein in step (b), the site is a verification server hosted by a verification service provider. (Brown: col. 2, lines 14-31; col. 4, 59-65)

Regarding claim 19, the method of claim 18 wherein in step (b), the navigation request contains authentication data to at least one user-held online account. (Brown: col. 5, lines 56-59)

Regarding claim 20, the method of claim 19 wherein in step (c), the navigation system comprises a server hosted by the verification service provider. (Brown: col. 2, lines 14-31; col. 4, 59-65)

Regarding claim 21, the method of claim 19 wherein in step (c), the navigation system comprises a plurality of interconnected servers hosted by the verification service provider. (Brown: col. 3, lines 37-57)

Regarding claim 23, the method of claim 16 wherein in step (a), the site offering the third party services is accessed by the user operating a telephone. (Brown: col. 1, lines 54-56)

Regarding claim 24, the method of claim 20 wherein in step (a), electronic form is presented in a web page. (Brown: col. 3, lines 59-65)

Regarding claim 25, the method of claim 24 wherein in step (c), the data portion of the form enabling the proxy navigation sequence comprises at least one user-name and password set for logging into a user-held online account. (Brown: col. 4, lines 59-65; col. 2, lines 33-44)

Regarding claim 26, the method of claim 25 wherein in step (c), the data portion of the form enabling the proxy navigation sequence also includes at least one domain name (domain name is equated to be realm) and at least one URL address. (Brown: col. 2, lines 14-31; col. 4, 59-65; col. 10, lines 46-52)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 5 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.
Patent No. 5,740,361 by Brown ("Brown") in view of U.S. Patent No. 6,058,378 by Clark et al
("Clark").

Claims 12, 13, 14, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable
over U.S. Patent No. 5,740,361 by Brown ("Brown") in view of U.S. Patent No. 5,978,495 by
Thomopoulos et al. ("Thomopoulos)"

Brown teaches a system of authenticating and verifying users through an authentication
deity. The Brown reference teaches its uses for authenticating for service providers but does not
explicitly state the use of the invention for financial services.

The Clark reference,

with regards to claim 5, teaches a network-based system of claim 1, wherein the
third-party services are financial-management services. (Clark: col. 11, line 20-25; col. 2, lines
48-51; col. 3, lines 5-8)

regarding claim 22, the method of claim 16, wherein in step (a), the third party services
comprises proxy financial management services. (Clark: col. 11, line 20-25; col. 2, lines 48-51;
col. 3, lines 5-8)

The Clark reference further teaches that having a method to make a given transaction or
inquiry, independent of the geographic region and type of inquiry would make global banking
more attractive to many customers. (Clark: col. 2, lines 18-24)

Therefore it would have been obvious at the time of the invention to create a system of
verification and authentication for services by Brown and incorporate a global financial service
as taught by Clark in order to make a given transaction or inquiry, independent of the geographic
region and type of inquiry would make global banking more attractive to many customers.
(Clark: col. 2, lines 18-24)

Brown teaches a system of authenticating and verifying users through an authentication
deity that relies solely on a username and password to grant access. The Brown reference lacks
other forms of providing verification that are profile based and non-sensitive data.

Thomopoulos teaches, with regards to claim 12, the network-based system of claim 11, wherein non-sensitive data submitted for verification is compared against user profile data for verification purposes. (Thomopoulos: col. 4, lines 17-25; col. 5, lines 30-34)

Thomopoulos further teaches that the use of the real-time fingerprint recognition system for which the patent is filed, allows the invention to achieve negligible false acceptance probability and very low rejection rate. (Thomopoulos: col. 3, lines 16-28)

Therefore it would have been obvious at the time of the invention to create a system of verification and authentication with a username and password by Brown while incorporating other forms of identification like fingerprint scanning and PIN numbers as taught by Thomopoulos in order to allow the invention to achieve negligible false acceptance probability and very low rejection rate.

Claims 13 and 14 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of the Brown and Thomopoulos.

Regarding claim 13, the network-based system of claim 12, wherein the verification results are equated to a score using a scoring system. (Thomopoulos: col. 6, lines 5-9)

Regarding claim 14, the network-based system of claim 12, wherein the verification results are of the form of an approval or disapproval. (Thomopoulos: col. 6, lines 20-25)

Regarding claim 27, the method of claim 26 wherein in step (b), non-sensitive data submitted for verification is compared against user profile data for verification purposes. (Thomopoulos: col. 4, lines 17-25; col. 5, lines 30-34)

Regarding claim 28, the method of claim 26 wherein in step (d), navigation results are equated to a score at the verification site using a scoring system. (Thomopoulos: col. 6, lines 5-9)

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

U.S. Patent No. 5,741,888 by Weyer et al.

U.S. Patent No. 5,700,149 by Johnson et al.

Personal Identification Systems Performance Improvement Algorithm. July 1981. IBM

Technical Disclosure Bulletin, US. NN8107914. Vol. 24, Issue 2, Page No. 914-917.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Benjamin R Bruckart whose telephone number is (703)

305-0324. The examiner can normally be reached on 8:00-5:30PM with every other

Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for

the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

0324.

Benjamin R Bruckart
Examiner
Art Unit 2155

Sept. 17, 2003
brb

brb

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER